## IN THE UNITED STATES DISTRICT COURT (5) SEP 23 PN 2132 FOR THE EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

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STMICROELECTRONICS, INC.,	§	8Y
Plaintiff,	§ §	Civil Action No. 4:03-CV-276
v.	§ §	Judge Leonard E. Davis
MOTOROLA, INC., and	§ §	Jury Trial Demanded
FREESCALE SEMICONDUCTOR, INC.	§ §	
Defendants and	§ §	
Counterclaim Plaintiffs,	§ §	
v.	\$ §	
STMICROELECTRONICS, N.V., and	§	
STMICROELECTRONICS, INC.,	§ §	
Counterclaim	§	
Defendants	\$	

## [PROPOSED] ORDER GRANTING MOTOROLA AND FREESCALE'S MOTION TO CLARIFY THE COURT'S JULY 15, 2004 MARKMAN ORDER

Having read and considered the foregoing motion and good cause therein shown: IT IS HEREBY ORDERED that:

The Court's July 15, 2004 Memorandum Opinion and Order is clarified to reflect that the construction for the term "epitaxial layer" in U.S. Patent 5,155,563 is "layer of material having the same crystalline structure as the substrate on which it is formed, understanding that formed includes growing or depositing."

United States District Court Judge